

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 30, 2004. Claims 1-5, 7-27, 30-33, 35-41, 44-47, 49, and 51 remain pending in this application. Claims 1, 30, and 44 are the independent claims.

In response to the objection to the drawings, Applicants respectfully request that substitute Fig. 4 be entered including labels. Two (2) copies of substitute Fig. 4 are herewith included as replacement sheets. No new matter is contained in substitute Fig. 4. Applicants request withdrawal of the objection to the drawings.

In response to the Office Action's objection to the specification and abstract, Applicants respectfully believe the amendments to the specification and abstract adequately respond to the objections and request their withdrawal. In addition, in response to the objection to the specification for failing to include headings, Applicants gratefully acknowledge the Office Action's suggestion, however respectfully declines to add the headings as they are not required in accordance with MPEP §608.01(a).

In response to the Office Action's objections to Claims 1, 8, 9, 13-16, 23, 35, 46, and 49, Applicants respectfully believe the amendments to Claims 1, 8, 9, 13-16, 23, 35, 46, and 49 adequately respond to the objections and request their withdrawal.

In response to the objection to Claims 10-28, 36-41, 43, and 51-52, Applicants respectfully believe the amendments to the claims to remove all multiple dependencies adequately responds to the objection and request its withdrawal. Applicants also respectfully request consideration of all the pending claims on the merits.

On the merits, the Office Action rejected Claims 6-9, 34-35, and 48-49 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully believe the cancellation of Claims 6, 34, and 48 as well as the amending of Claims 7, 35, and 49 render the § 112, first paragraph rejection moot and request its withdrawal.

Further on the merits, the Office Action rejected Claims 28, 42, 50, and 53 under 35 U.S.C. § 112, second paragraph as being indefinite for being omnibus type claims. Applicants respectfully believe that the cancellation of Claims 28, 42, 50, and 53 render the rejection moot and request its withdrawal.

Further on the merits, the Office Action rejected Claims 1-2, 4, 5, and 30-33 under 35 U.S.C. § 102(e) as being anticipated by Fuchs et al. (U.S. Patent No. 6,453,237; hereinafter "Fuchs"). The Office Action also rejected Claims 3, 7-9, and 44-47 under 35 U.S.C. § 103(a) as being unpatentable over Fuchs. Applicants respectfully traverses the rejections for at least the following reasons:

Fuchs fails to recite or suggest providing data message information from a base station relating to the timing of an epoch of at least one data bit of the target signal; and performing a correlation of the target signal and a replica signal containing corresponding PRN code sequences using the data message information to minimize degradation of the correlation caused by variations in the PRN code sequences in the target signal attributable to modulation by the data message. Rather, Fuchs recites pre-summing input samples, e.g., signal entering the device directly, not from a base station. (Col. 16, lines 24-59) This portion of Fuchs' signal detection process only utilizes input samples to improve SNR by summing small groups of succeeding epochs from input signals. This method lacks an advantage of performing such summing outside of a mobile unit for faster, on-demand, land-based accessibility. Thus the Applicant believes the rejection of Claim 1 over Fuchs to be in error and requests its withdrawal.

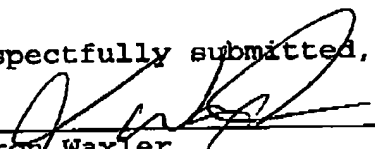
Claims 30 and 44 recite a mobile unit and a base station substantially corresponding to the method of Claim 1 and are believed patentable for at least the same reasons.

Claims 2-5, 7-27, 31-33, 35-41, 45-47, 49, and 51 depend from one or another of the independent claims discussed above and are believed patentable for at least the same reasons. In addition, Applicant believes Claims 2-5, 7-27, 31-33, 35-41, 45-47, 49, and

51 to be independently patentable and request separate consideration of each claim.

In view of the foregoing remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application. Applicants' undersigned attorney may be reached by telephone at the number given below.

Respectfully submitted,

By 
Aaron Waxler

Reg. 48,027

Attorney

(914) 333-9608

November 1, 2004